

**SIXTY-EIGHTH LEGISLATIVE DAY  
FRIDAY, MARCH 18, 2005**

House of Representatives

The House convened at 10:30 a.m., Mr. Denney in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Stevenson.

The Pledge of Allegiance was led by Abigail Kircher, Page.

**Approval of Journal**

March 18, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-seventh Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

March 17, 2005

Mr. Speaker:

I transmit herewith enrolled **S 1008, S 1009, S 1010, S 1030, S 1038, S 1039**, as amended, **S 1040, S 1052, S 1053, S 1054, S 1055, S 1056, S 1064, S 1065, S 1067, S 1068**, as amended, **S 1069, S 1071**, as amended, **S 1072, S 1073, S 1081, S 1084, S 1100, S 1114, S 1125, S 1126, S 1137, S 1149, S 1175, S 1176, S 1177**, and **S 1178** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced he was about to sign enrolled **S 1008, S 1009, S 1010, S 1030, S 1038, S 1039**, as amended, **S 1040, S 1052, S 1053, S 1054, S 1055, S 1056, S 1064, S 1065, S 1067, S 1068**, as amended, **S 1069, S 1071**, as amended, **S 1072, S 1073, S 1081, S 1084, S 1100, S 1114, S 1125, S 1126, S 1137, S 1149, S 1175, S 1176, S 1177**, and **S 1178** and, when so signed, ordered them returned to the Senate.

March 17, 2005

Mr. Speaker:

I transmit herewith **S 1193, S 1194, S 1195, S 1165**, and **S 1164**, as amended, which have passed the Senate.

WOOD, Secretary

**S 1193, S 1194, S 1195, S 1165**, and **S 1164**, as amended, were filed for first reading.

March 17, 2005

Mr. Speaker:

I return herewith **HCR 12, H 296, H 303, H 304**, and **H 305** which have passed the Senate.

WOOD, Secretary

**HCR 12, H 296, H 303, H 304**, and **H 305** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

There being no objection, the House advanced to the Twelfth Order of Business.

**Consideration of General Orders**

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker Pro Tem returned to the Chair and the House was in order.

**Report of the Committee of the Whole House**

March 18, 2005

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **S 1179** and report it back without recommendation, amended as follows:

**HOUSE AMENDMENT TO S 1179**

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 27 through 29 and insert:

"(4) Revenue credited to the fund shall include amounts collected for each motorcycle safety program fee imposed pursuant to section 49-453, Idaho Code."

AMENDMENTS TO BILL

On page 1, delete lines 30 through 41; delete pages 2 through 6; and insert:

"SECTION 2. That Chapter 4, Title 49, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 49-453, Idaho Code, and to read as follows:

49-453. MOTORCYCLE SAFETY PROGRAM FEE. A motorcycle safety program fee of six dollars (\$6.00) shall be collected in addition to each motorcycle registration fee assessed pursuant to section 49-402, Idaho Code. Such fees shall be deposited to the motorcycle safety program fund established in section 33-4904, Idaho Code."

CORRECTION TO TITLE

On page 1, delete lines 3 through 9 and insert: "REVENUES

FROM THE MOTORCYCLE PROGRAM FEE SHALL BE CREDITED TO THE MOTORCYCLE SAFETY PROGRAM FUND; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-453, IDAHO CODE, TO PROVIDE A MOTORCYCLE SAFETY PROGRAM FEE TO BE COLLECTED IN ADDITION TO EACH MOTORCYCLE REGISTRATION FEE."

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mrs. Ellsworth.

Whereupon the Speaker Pro Tem declared the report adopted.

**S 1179**, as amended in the House, was filed for first reading.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

#### Report of Standing Committees

Mr. Barraclough asked unanimous consent that **SCR 114** be returned to the Education Committee. There being no objection, it was so ordered.

Mr. Barraclough asked unanimous consent that **SCR 115** be returned to the Education Committee. There being no objection, it was so ordered.

March 18, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 352, H 353, H 354, H 355, H 356, H 357, H 358, H 359, and H 360** and House Amendments to **H 306**, as amended, and **H 323**.

FIELD(18), Chairman

**H 352, H 353, H 354, H 355, H 356, H 357, H 358, H 359, and H 360** were filed for second reading.

March 18, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 152, H 153, and H 154**.

FIELD(18), Chairman

The Speaker Pro Tem announced that enrolled **H 152, H 153, and H 154** would be signed by the Speaker, and when so signed, ordered them transmitted to the Senate for the signature of the President.

March 18, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 306**, as

amended, as amended, and **H 323**, as amended.

FIELD(18), Chairman

**H 306**, as amended, as amended, and **H 323**, as amended, were filed for first reading of engrossed bills.

March 18, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 278, H 125, H 120, H 89, H 90, H 136, H 141, H 235, H 144, H 181, H 111, H 112, H 114, H 115, H 116, H 117, H 118, H 119, H 16, H 95, H 96, H 128, and H 155** to the Governor at 11:30 a.m., as of this date, March 17, 2005.

FIELD(18), Chairman

March 17, 2005

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1034** and **S 1035** and recommend that they do pass.

STEVENSON, Chairman

**S 1034** and **S 1035** were filed for second reading.

March 17, 2005

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 336** and report it back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

**H 336** was placed on General Orders for consideration.

March 17, 2005

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **HCR 22** and **H 331** and recommend that they do pass.

SCHAEFER, Chairman

**HCR 22** and **H 331** were filed for second reading.

March 17, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 334, S 1166, S 1036**, as amended, **S 1134, S 1135, S 1136**, as amended, and **S 1156** and recommend that they do pass.

FIELD(18), Chairman

**H 334, S 1166, S 1036**, as amended, **S 1134, S 1135, S 1136**, as amended, and **S 1156** were filed for second reading.

March 17, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND

ADMINISTRATION, report that we have had under consideration **S 1062**, as amended, and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(18), Chairman

**S 1062**, as amended, was placed on General Orders for consideration.

March 18, 2005

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 332**, **S 1161**, as amended, and **S 1044**, as amended, and recommend that they do pass.

DEAL, Chairman

**H 332**, **S 1161**, as amended, and **S 1044**, as amended, were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

##### **HOUSE BILL NO. 361 BY APPROPRIATIONS COMMITTEE AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2006; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO BOND PAYMENTS; DIRECTING THE TRANSFER OF MONEYS ON OR AFTER JULY 1, 2005; AND DIRECTING THE TRANSFER OF MONEYS ON OR AFTER JANUARY 1, 2006.

##### **HOUSE BILL NO. 362 BY APPROPRIATIONS COMMITTEE AN ACT**

APPROPRIATING MONEYS FROM THE PERMANENT BUILDING FUND TO THE DIVISION OF PUBLIC WORKS FOR THE VARIOUS PURPOSES SPECIFIED; EXPRESSING LEGISLATIVE INTENT CONCERNING THE USE OF MONEYS APPROPRIATED IN THIS ACT; EXEMPTING THE APPROPRIATIONS FROM THE PROVISIONS OF CHAPTER 36, TITLE 67, IDAHO CODE, AND FROM THE PROVISIONS OF SECTION 67-3516, IDAHO CODE; AND AUTHORIZING THE USE OF TAX ANTICIPATION NOTES.

**H 361** and **H 362** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1193**, **S 1194**, and **S 1195**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

**S 1165** and **S 1164**, as amended, by Judiciary and Rules

Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

#### **First Reading of Engrossed Bills**

**H 306**, as amended, as amended, and **H 323**, as amended, by Revenue and Taxation Committee, were introduced, read the first time by title and filed for second reading.

#### **Second Reading of Bills and Joint Resolutions**

**HCR 23**, **H 318**, **H 307**, **H 322**, and **H 100**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**S 1129**, **S 1130**, as amended, and **S 1080**, by Transportation Committee, were read the second time by title and filed for third reading.

**H 324**, by Education Committee, was read the second time by title and filed for third reading.

**S 1154**, as amended, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

**HJM 9** and **H 350**, by State Affairs Committee, were read the second time by title and filed for third reading.

**SJM 108**, **SCR 116**, and **SCR 117**, by State Affairs Committee, were read the second time by title and filed for third reading.

#### **Third Reading of Bills and Joint Resolutions**

Mr. Moyle asked unanimous consent that **H 349** be returned to the Education Committee. There being no objection, it was so ordered.

**S 1188** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bayer to open debate.

The question being, "Shall **S 1188** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydallch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Roberts, Smith(24). Total -- 2.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1188** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **HP 3** retain its place on the Third Reading Calendar.

**HJM 5** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood and Mrs. Barrett to open debate.

The question being, "Shall **HJM 5** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- LeFavour, Martinez, Pasley-Stuart, Ringo, Rusche. Total -- 5.

Absent and excused -- Boe, Crow, Snodgrass. Total -- 3.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **HJM 5** adopted and ordered the memorial transmitted to the Senate.

**HP 3** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke to open debate.

The question being, "Shall **HP 3** be adopted?"

Whereupon the Speaker Pro Tem declared **HP 3** adopted by voice vote and ordered the proclamation filed in the Office of the Chief Clerk.

Mr. Moyle asked unanimous consent that **H 311** retain its place on the Third Reading Calendar until Monday, March 21, 2005. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **H 312** retain its place on the Third Reading Calendar until Monday, March 21, 2005. There being no objection, it was so ordered.

**H 295** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **H 295** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 66.

NAYS -- Nielsen, Schaefer. Total -- 2.

Absent and excused -- Crow, Wood. Total -- 2.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 295** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 325** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Clark to open debate.

The question being, "Shall **H 325** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Skippen, Wood. Total -- 3.  
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 325** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 301** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Boe and Mr. Shirley to open debate.

The question being, "Shall **H 301** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Trail, Wills, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Schaefer, Snodgrass, Wood. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 301** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 326** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Field(18) to open debate.

The question being, "Shall **H 326** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 64.

NAYS -- Barrett, Crow, McKague, Moyle, Schaefer. Total -- 5.

Absent and excused -- Mr. Speaker. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 326** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1092** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

The question being, "Shall **S 1092** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1092** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **S 1169** retain its place on the Third Reading Calendar until Monday, March 21, 2005. There being no objection, it was so ordered.

**S 1099** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Roberts to open debate.

Pursuant to Rule 38(3), Mr. Shepherd(8) disclosed a conflict of interest regarding **S 1099**.

The question being, "Shall **S 1099** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1099** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1138** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Jaquet to

open debate.

The question being, "Shall **S 1138** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- None.

Absent and excused -- Barrett, Jones, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1138** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1061** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bastian to open debate.

The question being, "Shall **S 1061** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- None.

Absent and excused -- Jones, Roberts, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1061** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1119** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Shirley to open debate.

The question being, "Shall **S 1119** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- None.

Absent and excused -- Jones, Schaefer, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1119** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **HCR 23** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 23** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Sayler.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- Boe. Total -- 1.

Absent and excused -- Jones, Mr. Speaker. Total -- 2. Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 23** was read the first time by title, second time by title, and third time at length, and

placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Collins to open debate.

The question being, "Shall **HCR 23** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 65.

NAYS -- None.

Absent and excused -- Jones, McGeachin, Shepherd(8), Smith(24), Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **HCR 23** adopted and ordered the resolution transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 307** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 307** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Sayler.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- Boe. Total -- 1.

Absent and excused -- Jones, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 307** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hart to open debate.

The question being, "Shall **H 307** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Block, Clark, Collins, Crow, Deal, Denney, Ellsworth, Field(18), Field(23), Hart, Harwood, Henderson, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Smith(24), Wood. Total -- 32.

NAYS -- Anderson, Bell, Bilbao, Black, Boe, Bolz, Bradford, Cannon, Chadderdon, Edmunson, Eskridge, Garrett, Henbest, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 36.

Absent and excused -- Jones, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 307** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 322** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 322** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Sayler.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- Boe. Total -- 1.

Absent and excused -- Jones, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 322** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Moyle to open debate.

The question being, "Shall **H 322** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Jones, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 322** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### **Adjournment**

Mr. Moyle moved that the House adjourn until 10 a.m., Monday, March 21, 2005. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:39 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk